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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,664	06/27/2003	Mark R. Albrecht	171006-0001U1	7078
24267 7590 04/27/2009 CESARI AND MCKENNA, LLP 88 BLACK FALCON AVENUE BOSTON, MA 02210				
EXAMINER ALMATRAHI, FARIS S				
ART UNIT		PAPER NUMBER		
3627				
MAIL DATE		DELIVERY MODE		
04/27/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/608,664

Applicant(s)

ALBRECHT, MARK R.

Examiner

FARIS ALMATRAHI

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) 2-56 and 58-66 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of the Application

1. This action is in reply to applicant amendment filed January 30, 2009.
2. Claims 1 and 57 have been amended.
3. Claims 1-66 are pending in this application.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1 and 57** are rejected under 35 U.S.C 103(a) as being unpatentable over Baker (US Pat No. 6,473,741) in view of Dang et al. (US Publication No. 2003/0101111), SurePrep (Your Tax Preparation Partner, September 19, 2002), and Carver (US Publication No. 2004/0078307 A1).
6. Regarding Claims 1 and 57, Baker discloses a financial service method comprising:
 - For plural respective direct service providers, loading, onto a remotely accessible part of a common host server located in the United States, ultimate client specific financial files and corresponding reference materials, the host server providing

access to a remote computer client of information concerning the ultimate client specific files and corresponding reference materials (Column 10 line 56 – Column 11 line 20).

- Retaining outsourced personnel to perform financial service projects for ultimate clients of the financial services firms, the outsourced personnel performing the financial service projects while located outside the United States (Column 3 lines 1-46).
- Monitoring and reporting the status of the financial service project (Column 12, lines 41-67).

7. Baker fails to explicitly disclose a financial services outsourcing method comprising retaining outsourced personnel to perform financial service projects for ultimate clients of the financial services firms, the outsourced personnel performing the financial service projects while located outside the United States; providing the outsourced personnel limited access to the server; the outsourced personnel performing the financial service project through a remote limited access client located outside the United States connected to the host server; maintaining a web tracking server; reporting to the web tracking server, by the outsourced personnel, a status of the tax preparation services; and monitoring, by the financial service firms, the web tracking server to obtain the status of the tax preparation services while the outsourced personnel is performing the tax preparation services.

8. SurePrep teaches retaining outsourced personnel to perform financial service projects for ultimate clients of the financial services firms, the outsourced personnel

performing the financial service projects while located outside the United States (SurePrep NPL Page 2).

Based on the teaching of SurPrep, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Baker reference to incorporate an outsourcing method of retaining outsourced personnel to perform financial service projects for ultimate clients of the financial services firms, the outsourced personnel performing the financial service projects while located outside the United States in order to reduce tax preparation cost.

9. Dang suggests a financial services outsourcing method comprising providing the outsourced personnel limited access to the server (Figure 6, Paragraph [0011]); the outsourced personnel performing the financial service project through a remote limited access client located outside the United States connected to the host server (Paragraph [0015]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Dang in the device of Baker reference to include a financial services outsourcing method comprising providing the outsourced personnel limited access to the server; the outsourced personnel performing the financial service project through a remote limited access client located outside the United States connected to the host server, for the advantage of reducing internal information technology expenses of merchants by eliminating the need for an in-house internally developed financial service system (Dang, Paragraph [0036]).

10. Carver teaches a method for maintaining a web tracking server; reporting to the web tracking server, by the outsourced personnel, a status of the tax preparation services; and monitoring, by the financial service firms, the web tracking server to obtain the status of the tax preparation services while the outsourced personnel is performing the tax preparation services (Abstract, Paragraphs [0015] – [0017]).

Based on the teaching of Carver it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Baker reference to incorporate maintaining a web tracking server; reporting to the web tracking server, by the outsourced personnel, a status of the tax preparation services; and monitoring, by the financial service firms, the web tracking server to obtain the status of the tax preparation services while the outsourced personnel is performing the tax preparation services in order to provide real time monitoring and status updates (Carver, Abstract).

Response to Arguments

11. Applicant's arguments filed on January 30, 2009 have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faris Almatrahi whose telephone number is (571)270-3326. The examiner can normally be reached on Monday to Friday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Faris Almatrahi
Examiner
Art Unit 3627

FA

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627